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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,451	05/31/2001	Robert Lennie	PALM-3667	3020
49637	7590	10/28/2005		
BERRY & ASSOCIATES P.C. 9255 SUNSET BOULEVARD SUITE 810 LOS ANGELES, CA 90069			EXAMINER SIDDIQI, MOHAMMAD A	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/872,451

Applicant(s)

LENNIE ET AL.

Examiner

Mohammad A. Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 and 30-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 and 30-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-28 and 30-33 are presented for examination. Claim 29 has been cancelled.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/15/2005 has been entered.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-28 and 30-33 rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (6,850,757) (hereinafter Watanabe) in view of Mousseau et al. (US PUB 2002/0120696) (hereinafter Mousseau).

5. As per claims 1 and 27, Watanabe discloses A communication system and method comprising: a mail server 102, fig 1), coupled to the Internet (104, fig 1) for storing an electronic mail message received over the Internet and for generating a copy of said electronic mail message (Fig 1, col 2, lines 24-46);

a notifications server (col 2, lines 24-36), coupled to said mail server (col 2, lines 24-36),

wherein said notifications server (col 2, lines 24-60) is for automatically generating (col 2, lines 24-60), therefrom, a subset of said received copy of said electronic mail message (col 5, lines 6-31); and

wherein said notifications server (col 2, lines 24-60), upon generation of said subset (col 5, lines 6-31), is for wirelessly transmitting (col 1, lines 5-10) said subset (col 3, lines 33-35) to an identified wireless electronic device (col 5, lines 6-31) associated with a user that is the recipient of said received electronic mail message (cellular phone, col 5, lines 6-39).

Watanabe is silent about having a standard electronic mail protocol for receiving said copy of said electronic mail message as a standard formatted

electronic mail messages. However, *Simple Mail Transfer*, a protocol for sending e-mail messages between servers; Most e-mail systems that send mail over the Internet use SMTP to send messages from one server to another; the messages can then be retrieved with an e-mail client using either POP or IMAP; In addition, SMTP is generally used to send messages from a mail client to a mail server; SMTP, POP, or IMAP e-mail server are known in the art. For example, Mousseau discloses having a standard electronic mail protocol for receiving said copy of said electronic mail message as a standard formatted electronic mail messages. (page 6, paragraph #0062; page 9, paragraph 0084). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Watanabe and Mousseau. The motivation would have been developing system for pushing/notifying from a host system to user's mobile device based on the user-defined events.

6. As per claim 14, the claim is rejected for the same reasons as claim 1, above. In addition, Watanabe discloses a plurality of wireless electronic devices operable to communicate over a wireless communication network (106, fig 1, col 2, lines 24-60).

7. As per claims 2, 15, and 28, claims are rejected for the same reasons as claim 1, above. In addition, Watanabe discloses said identified wireless electronic device is operable to display received subsets to a user LCD display, (col 5, lines 29-31).

8. As per claims 3, and 16, claims are rejected for the same reasons as claim 1, above. In addition, Watanabe discloses said identified wireless electronic device is operable to allow said user to select a particular received subset and wherein said notifications server is also for transmitting the remainder of an electronic mail message corresponding to said particular received subset in response to the selection thereof by said identified wireless electronic device (col 5, lines 45-67; col 6, lines 18-43).

9. As per claims 4 and 17, claims are rejected for the same reasons as claim 1, above. In addition Mousseau discloses said subset is a notification message comprising a sender's identification and a subject field of said received electronic mail message (page 8, paragraph #0076).

10. As per claims 5 and 18, claims are rejected for the same reasons as claim 1, above. In addition, Watanabe discloses said identified wireless

electronic device is a handheld computer system having wirelessly enabled (fig 3, col 3, lines 28-36).

11. As per claims 6, 19, and 31, claims are rejected for the same reasons as claim 1, above. In addition, Watanabe discloses wherein said notifications server comprises a user information database for providing a mapping between wireless electronic devices and their associated electronic mail addresses (fig 3, col 3, lines 28-36).

12. As per claims 7, 20 and 32, claims are rejected for the same reasons as claim 1, above. In addition, Watanabe discloses a push packet (is used by said notifications server to wirelessly transmit said subset to said identified wireless electronic device (col 5, lines 22-28).

13. As per claims 8 and 21, claims are rejected for the same reasons as claim 1, above. In addition, Watanabe discloses said subset is wirelessly transmitted using a wireless LAN communication network (elements of fig 1).

14. As per claims 9 and 22, claims are rejected for the same reasons as claim 1, above. In addition Mousseau discloses, using a Bluetooth wireless communication network (page 22, paragraph #0174).

15. As per claims 10 and 23, claims are rejected for the same reasons as claim 1, above. In addition Mousseau discloses using a Mobitex wireless communication network (page 21, paragraph #0164).

16. As per claims 11, 24, and 33, claims are rejected for the same reasons as claim 1, above. In addition Mousseau discloses said standard electronic mail protocol is substantially compliant with the SMTP protocol (page 9, paragraph #0084).

17. As per claims 12 and 25, claims are rejected for the same reasons as claim 1, above. In addition Mousseau discloses POP protocol (page 9, paragraph #0084).

18. As per claims 13 and 26, claims are rejected for the same reasons as claim 1, above. In addition Mousseau discloses IMAP protocol (page 9, paragraph #0084).



19. As per claim 30, claims are rejected for the same reasons as claim 1, above. In addition, Watanabe discloses said identified wireless electronic device allowing said user to select a particular received notification message (col 5, lines 45-67; col 6, lines 18-43); and

said notifications server transmitting the remainder of an electronic mail message corresponding to said particular received notification message in response to said user selecting said particular received notification message (col 5, lines 45-67; col 6, lines 18-43).

### ***Response to Arguments***

20. Applicant's arguments with respect to claims 1-28 and 30-33 have been considered but are moot in view of the new ground(s) of rejection.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-

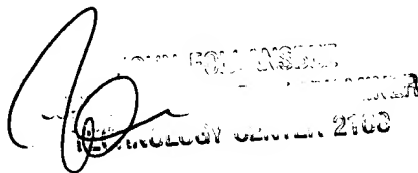
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3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS

A handwritten signature in black ink is written over a rectangular stamp. The stamp contains the text "EBC" and "2163" in a bold, sans-serif font. The signature is a cursive, stylized "M" followed by a horizontal line and a small flourish.